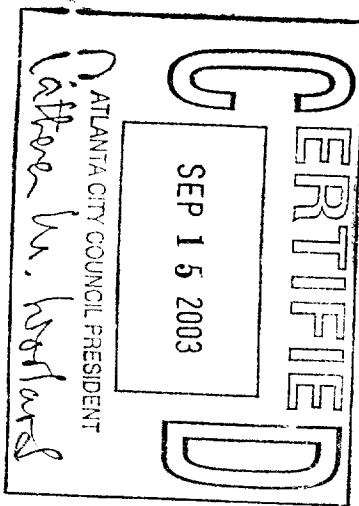


Entered - 06/30/03 - sb
CL03L0534 - DIANNE C. MITCHELL

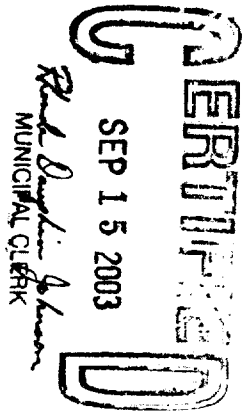


CLAIM OF: MAUDIE O. PETTY,
through her attorney,
Ryan Goldstein
4851 Jimmy Carter Boulevard
Norcross, Georgia 30093

03-~~12~~-1407

For damages alleged to have been sustained as a result of property
damage during improvements to an easement at 1781 South Gordon
Street, SW.

THIS ADVERSE REPORT IS APPROVED



BY: _____

JERRY L. DELOACH
DEPUTY CITY ATTORNEY

A handwritten signature in black ink, appearing to be "Jerry L. DeLoach", written over a horizontal line.

ADVERSE REPORT

PUBLIC SAFETY &

LEGAL ADMINISTRATION COMMITTEE

DATE: 9/9/03

CHAIR: _____

Mary Norwood
A. J. Jett



CITY OF ATLANTA
OFFICE OF MUNICIPAL CLERK

HONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

September 30, 2003

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

Ryan Goldstein
Attorney at Law
4851 Jimmy Carter Blvd.
Norcross, GA 30093

03-R-1407

RE: Maudie O. Petty

Dear Attorney Goldstein:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on September 15, 2003. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. **03L0534**

Date: August 22, 2003

Claimant /Victim MAUDIE O. PETTY
 BY: (Atty) Ryan Goldstein
 Address: 4851 Jimmy Carter Boulevard, Norcross, Georgia 30093
 Subrogation: Claim for Property damage \$ Not Stated Bodily Injury \$
 Date of Notice: 06/18/03 Method: Written, proper X Improper
 Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
 Date of Occurrence Not Stated Place: 1781 South Gordon Street, SW
 Department Watershed Management Division: Sewer Operations
 Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that her property has been damaged due to the City's failure to complete work on the repairs to her driveway after work was performed on the City's sewer easement. However, the Sewer Division has now completed the work on the claimant's driveway.

INVESTIGATION:

Statements: City employee X Claimant Others Written X Oral
 Pictures Diagrams Reports: Police Dept Report Other
 Traffic citations issued: City Driver Claimant Driver
 Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
Improper Notice More than Six Months Other X Damages reasonable
City not involved Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces X
Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,

INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ _____ Adverse ☒ Account charged: 1A01 _____ 2J01 _____ 2H01 _____ 2P01 _____
 Claims Manager: *[Signature]* Concur/date 08-27-05
 Committee Action: _____ Council Action _____

RCS# 5027
9/15/03
2:51 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS 1-13, EXCEPT:03-R-1449
03-R-1460, 03-R-1463
ADOPT

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 2

NV Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	B Martin	Y Norwood
NV Young	NV Shook	B Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

9-15-03 Council Meeting	
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 03-O-1347 2. 03-O-1451 3. 03-O-1311 4. 03-O-1443 5. 03-O-1319 6. 03-O-1317 7. 03-O-1441 8. 03-O-1447 9. 03-O-1109 10. 03-O-1329 11. 03-O-1330 12. 03-R-1371 13. 03-R-1372 14. 03-R-1373 15. 03-R-1374 16. 03-R-1437 17. 03-R-1458 18. 03-R-1459 19. 03-R-1383 20. 03-R-1446 21. 03-R-1456 22. 03-R-1316 23. 03-R-1337 24. 03-R-1381 25. 03-R-1382 26. 03-R-1449 27. 03-R-1390 28. 03-R-1392 29. 03-R-1393 30. 03-R-1394 31. 03-R-1395 32. 03-R-1396 33. 03-R-1397 34. 03-R-1398	35. 03-R-1399 36. 03-R-1400 37. 03-R-1401 38. 03-R-1402 39. 03-R-1403 40. 03-R-1404 41. 03-R-1405 42. 03-R-1406 43. 03-R-1407 44. 03-R-1408 45. 03-R-1409 46. 03-R-1410 47. 03-R-1411 48. 03-R-1412 49. 03-R-1413 50. 03-R-1414 51. 03-R-1415 52. 03-R-1416 53. 03-R-1417 54. 03-R-1418 55. 03-R-1419 56. 03-R-1420 57. 03-R-1421 58. 03-R-1422 59. 03-R-1423 60. 03-R-1424 61. 03-R-1425 62. 03-R-1426 63. 03-R-1427 64. 03-R-1428 65. 03-R-1429 66. 03-R-1430 67. 03-R-1431 68. 03-R-1432

Consent I Vote: 10 Yeas; 0Nays: (See RCS #5027) ; 9Yeas; 0Nays: (See RCS #5008)

Items Removed from the Consent Agenda: 03-R-1460; 03-R-1463; Mitchell abstained on 03-R-1449;